

1 Stephen B. Russell, P.E.
2 Bernice Marks
3 5937 East Aster Drive
4 Scottsdale, AZ 85254
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KEVIN E. GORRIN
CLERK
U.S. BANKRUPTCY
COURT OF ARIZONA

6
7 IN THE UNITED STATES BANKRUPTCY COURT
8 FOR THE DISTRICT OF ARIZONA

9 In re:

10 CHARLES THOMAS BROWN d/b/a TOM
11 BROWN PREFERRED TRUST
12 COMPANY,

13 Debtor,

Proceedings Under Chapter 7

No. 97-14228 PHX GBN

Adv. 99-00746

14 MAUREEN GAUGHAN, Chapter 7 Trustee)

15 Plaintiff/Judgment Creditor,

16 v.

17 ANN AKAMINE, *et al.*,

18 Defendants/Judgment Debtors.

AFFIDAVIT OF BERNICE MARKS

19 STATE OF ARIZONA)

20 County of Maricopa)

) ss.

21
22 I, Bernice Marks, being first duly sworn upon my oath, depose and say:

23 1. I am the wife of Stephen B. Russell.

24 2. I have reviewed his Affidavit and believe it to be true and accurate as relating to
25 his dealings with the Trustee on my behalf and my dealings with Tom Brown.
26

3. At all times my dealings with Tom Brown were based on good faith and I was totally unaware of any facts which gave rise to any concerns about the source of his funds or his ability to pay creditors.

4. In each instance in which I received funds from Tom Brown, I provided Tom Brown with reasonable equivalent value in the form of additional loans. I was never repaid the final loan I made to Tom Brown.

5. I am aware of my husband's communications with the legal representatives of the Trustee and relied on his understanding with the Trustee's representatives that no judgment would be sought against me.

DATED this 1 day of ^{March}~~February~~, 2001.

Bernice Marks
BERNICE MARKS

SUBSCRIBED AND SWORN to before me this 1 day of ~~February~~ ^{March}, 2001, by
Bernice Marks.


Notary Public

My commission expires:

July 22, 2004

